

BME also estimates \$50,000 Other Fund expenditures for an independent program evaluation of the entire HPPSC diversion program, which would occur each biennium. The Legislative Fiscal Office (LFO) questions whether this is a reasonable assumption and why it is a reoccurring expenditure rather than a one-time expense.

In addition, BME estimates that it will investigate two to three cases each biennium related to licensees with mental disorder who have chosen not to enroll in the program. It assumes each of these cases would result in a disciplinary action. A disciplined licensee would likely contest the action in at least one-half of all cases. The cost of contested hearings is estimated at \$40,000 for the 2007-09 biennium and \$80,000 for the 2009-11 biennium. This expense includes representation costs charged by the Attorney General. BME states that existing investigative staff will be able to absorb these new duties and that no new staff is required. However, there would be additional Attorney General expenses in support of staff investigations and disciplinary actions of \$512 Other Funds for the 2007-09 biennium and \$768 for the 2009-11 biennium.

The last major category of expense is that associated with the Council. The expanded Council would have increased per diem, travel, meeting, and legal expenses. These expenses total \$55,883 Other Funds for the 2007-09 biennium and \$55,067 for the 2009-11 biennium.

The cumulative fiscal impact of this measure would be \$233,854 Other Funds for the 2007-09 biennium and \$317,694 Other Funds for the 2009-11 biennium.

The revenue for these expenditures would come from the BME ending Other Funds balance and would not come from a fee increase. LFO believes that this assumption may change depending upon program enrollment.